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## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	10/713,268
Filing Date	17 November 2003
First Named Inventor	Serengulam V. Govindan
Group Art Unit	1639
Examiner Name	Bennett M. Celsa
Attorney Docket Number	40923-0067 US5 [1317]

Total Number of Pages in This Submission

### ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form  <input type="checkbox"/> Fee Attached  <input checked="" type="checkbox"/> Amendment / Response  <input type="checkbox"/> After Final  <input type="checkbox"/> Affidavits/declaration(s)  <input type="checkbox"/> Extension of Time Request  <input type="checkbox"/> Express Abandonment Request  <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s)  <input type="checkbox"/> Response to Missing Parts/ Incomplete Application  <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application)  <input type="checkbox"/> Drawing(s)  <input type="checkbox"/> Licensing-related Papers  <input type="checkbox"/> Petition  <input type="checkbox"/> Petition to Convert to a Provisional Application  <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address  <input type="checkbox"/> Terminal Disclaimer  <input type="checkbox"/> Request for Refund  <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group  <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences  <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)  <input type="checkbox"/> Proprietary Information  <input type="checkbox"/> Status Letter  <input type="checkbox"/> Other Enclosure(s) (please identify below):
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Remarks

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Paul M. Booth, Ph.D., Reg. No. 40,244
Signature	
Date	December 22, 2004

### CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date:

Typed or printed name

Signature

Date



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

40923-0067 US5 [1317]

In re patent application of:  
Serengulam V. Govindan

Confirmation No.: 1475

Serial No.: 10/713,268

Art Unit: 1639

Filed: 17 November 2003

Examiner: Bennett M. Celsa

For: STABLE RADIOIODINE CONJUGATES AND METHODS FOR THEIR SYNTHESIS

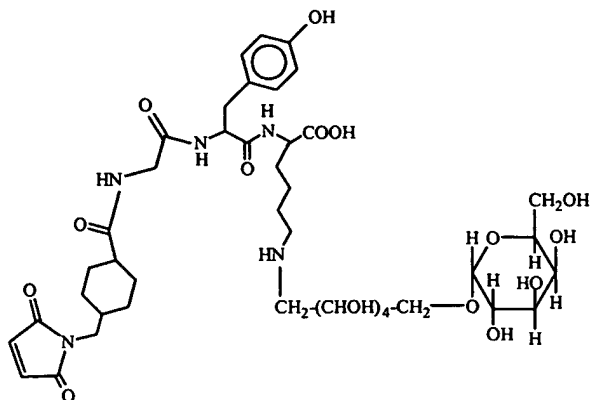
**RESPONSE TO RESTRICTION REQUIREMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Office Action mailed 24 November 2004, Applicant hereby elects with traverse Group I (claims 11-20 and 23-32 (in part), drawn to a method of making a glycopeptide in which the carbohydrate is attached to D-lysine), for prosecution in the subject application. Applicants reserve the right to file one or more divisional applications covering the subject matter of the non-elected claims.

With respect to the Election of Species requirement, applicants elect the compound "MCC-Gly-D-Tyr-D-Lys(melibiose)-OH" wherein MCC is 4-N-maleimidomethyl-cyclohexane-1-carbonyl. All claims read on methods that utilize this species. The specific structure of this compound is shown below:



This election is made with traverse. The basis for the traverse is that the Examiner has failed to provide any reasoning other than a generic statement as to why a search of all of the groups of claims would be burdensome.

First, the office action admits that all of the pending claims are classified in class 530, subclass 345, (see office action at page 2), which contradicts the Examiner's assertion that the search would be burdensome.

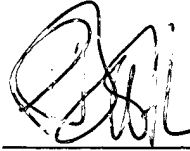
Second, the three amino acids recited in claims 23 *et seq.* all contain basic side chains that act as nucleophiles in the coupling methods recited in the claims. The three recited amino acids are lysine, arginine and ornithine. Lysine (a four carbon side chain, not counting the  $\alpha$ -carbon) differs from ornithine (a three carbon side chain) by a single methylene group in the amino acid side chain. Ornithine and arginine differ in that ornithine contains a nucleophilic primary amine function at the terminus of the three carbon chain, whereas arginine contains a nucleophilic guanidine groups at the terminus of the three carbon chain. If the restriction requirement is maintained applicants respectfully request that the Examiner explicitly acknowledge that coupling to lysine, ornithine and arginine are separate and distinct inventions and that, for example, a reference describing reactions at an ornithine side chain may not be cited as prior art against a claim that recites coupling to a lysine side chain.

It is respectfully submitted that the application is in condition for examination, and an early action on the merits is courteously requested.

Date: December 22, 2004

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Respectfully submitted,



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